

Message Text

CONFIDENTIAL

PAGE 01 WELLIN 04094 040401Z
ACTION L-03

INFO OCT-01 EUR-12 EA-10 ISO-00 CA-01 PPT-01 SSO-00
VO-05 /033 W

-----089505 040409Z /13

O 040303Z AUG 78
FM AMEMBASSY WELLINGTON
TO AMEMBASSY CANBERRA NIACT IMMEDIATE
AMCONSUL SYDNEY NIACT IMMEDIATE
SECSTATE WASHDC IMMEDIATE 6026
AMCONSUL HONG KONG IMMEDIATE
AMEMBASSY TAIPEI IMMEDIATE
INFO DEPT OF JUSTICE WASHDC IMMEDIATE
AMEMBASSY MANILA
AMEMBASSY OTTAWA
AMEMBASSY SUVA
AMEMBASSY TOKYO
AMCONSUL VANCOUVER
CINCPAC HONOLULU
AMCONSUL AUCKLAND BY POUCH

C O N F I D E N T I A L WELLINGTON 04094

MANILA FOR LEGATT; CINCPAC ALSO FOR POLAD AND ICA ADVISER

EO 11652: XGDS-2
TAGS: PDIP, CFED, PORS, SOCI, CVIS (MEIER, JOHN H.),
- CPRS, TN, US, CA
SUBJECT: EXTRADITION: JOHN HERBERT MEIER (AKA IVOR A.
- ROBERTSON)

REF: (A) WELLINGTON 04065 (NOTAL), (B) WELLINGTON 04071
(NOTAL)

1. NZ MINISTRY OF FOREIGN AFFAIRS HAS JUST INFORMED
US THAT A FLIGHT RESERVATION IN THE NAME "I. ROBERTSON,"
MEIER'S ASSUMED NAME, HAS BEEN MADE WITH THE FOLLOWING
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 WELLIN 04094 040401Z

ITINERARY:

- AUG 5, DEP. HONG KONG, 2030, QF28
- AUG 6, ARR SYDNEY, 0700
- AUG 6, DEP SYDNEY, 1345, TE606
- AUG 6, ARR AUCKLAND, 1840
- AUG 7, DEP AUCKLAND, 1310, FJ453

- AUG 7, ARR TONGA 1555

2. TRAVELING WITH "I. ROBERTSON" IS TSIN KWONG SAU. IF CONGEN HONG KONG OR EMBASSY TAIPEI HAVE ANY INFORMATION ON THE LATTER, IT WOULD BE OF INTEREST. WE CAUTION, HOWEVER, THAT NO OUTSIDE INQUIRY SHOULD BE MADE AS THIS MIGHT TIP OFF MEIER.

3. THE NZ FOREIGN MINISTER HAS FORWARDED OUR REQUEST FOR PROVISIONAL ARREST WITH A FAVORABLE RECOMMENDATION TO THE MINISTRY OF JUSTICE. LAWYERS FOR THE MINISTRY OF JUSTICE HAVE BEEN TASKED WITH OBTAINING AN ARREST WARRANT FOR MEIER. THEY INFORM US, HOWEVER, THAT NEW ZEALAND COURTS LACK THE POWER TO ISSUE AN ARREST WARRANT FOR MEIER UNTIL HE ACTUALLY ARRIVES IN THE COUNTRY. THEY THEREFORE EXPECT TO OBTAIN THE WARRANT SOMETIME SUNDAY EVENING, AUGUST 6, OR EARLY THE FOLLOWING MORNING. MEIER COULD THEN BE ARRESTED WHEN HE CHECKS IN FOR THE FLIGHT TO TONGA, MIDDAY MONDAY.

4. THE DEPARTMENT SHOULD NOTE THAT IN OUR DIPLOMATIC NOTE REQUESTING MEIER'S ARREST (SEE PARA 3, REF A) WE DID NOT MENTION THE SECOND COUNT OF THE MAY 17 INDICTMENT RELATING TO THE PUBLICATION BY MEIER OF A DOCUMENT IMPLYING IMPROPER ARRANGEMENTS BETWEEN JUDGE ANDERSON AND SUMMA CORP. OFFICIALS, AS THAT COUNT CONFIDENTIAL

CONFIDENTIAL

PAGE 03 WELLIN 04094 040401Z

DOES NOT APPEAR TO FALL WITHIN THE MEANING OF ART II (32) OF THE NZ-US EXTRADITION TREATY.

5. ACTION REQUESTED:

PLEASE CONFIRM THE PROPRIETY OF THIS ACTION AND ALSO INFORM US WHETHER THE DATE OF THE INDICTMENT WAS IN FACT MAY 17, 1978. MANILA 10622 STATES THE DATE WAS MAY 18.

6. WE LEAN TOWARD ATTEMPTING THE ARREST THIS TIME IN NEW ZEALAND BECAUSE OF THE POSSIBILITY THAT MEIER MIGHT AGAIN BE RELEASED BY AN AUSTRALIAN MAGISTRATE. OUR UNDERSTANDING OF THE RULING BY THE SYDNEY MAGISTRATE, JUDGE BUTLER, IS THAT MEIER WAS IMMUNE FROM ARREST SIMPLY BECAUSE OF HIS POSSESSION OF A TONGAN DIPLOMATIC PASSPORT CONTAINING AN AUSTRALIAN DIPLOMATIC VISA, NOT BECAUSE OF ART. 40 OF THE VIENNA CONVENTION AS ASSUMED IN STATE 193923. ACCORDING TO OUR INFORMATION, JUDGE BUTLER DID NOT CONSIDER THE ART. 40 ARGUMENT AND, FURTHERMORE, RULED THAT THE GOA WAS ESTOPPED FROM MAKING ANY ARGUMENT CONCERNING THE LEGAL EFFECT OF THE

AUSTRALIAN DIPLOMATIC VISA. WE WOULD NOT WANT TO SEE A
REPEAT OF SUCH A QUESTIONABLE RULING. SELDEN

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, ITINERARY
Control Number: n/a
Copy: SINGLE
Draft Date: 04 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978WELLIN04094
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X2
Errors: N/A
Expiration:
Film Number: D780320-0498
Format: TEL
From: WELLINGTON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780895/aaaadbvx.tel
Line Count: 118
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 67861d68-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 WELLINGTON 4065, 78 WELLINGTON 4071
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1828521
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION: JOHN HERBERT MEIER (AKA IVOR A. - ROBERTSON)
TAGS: PDIP, CFED, PORS, SOCI, CVIS, (MEIER, JOHN HERBERT), (ROBERTSON, IVOR A),
To: CANBERRA SYDNEY
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/67861d68-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014